

## BACKGROUND

At any one time, approximately 40 per cent of the inmate population in Ontario's jails and detention centres have been remanded and are awaiting trial. Some have been denied bail. Others have been granted bail by the courts in the form of monetary or surety release conditions, but they remain in jail because they lack the financial or social resources necessary to facilitate their pre-trial release.

With jail overcrowding continuing to be problematic, the ministry of correctional services was faced with the prospect of expanding existing buildings or building new facilities or providing a community alternative to pre-trial detention, which is less costly than detention. The ministry chose to develop Bail Verification and Supervision programs in co-operation with various community agencies throughout the province.

The involvement of the private or voluntary sector in the delivery of pre-trial services is consistent with the ministry's goal of involving the community in the criminal justice system through the development and implementation of community options to incarceration.

## PROGRAM DESCRIPTION

The bail program is designed to:

- offer the court an alternative to incarceration for accused persons at the pre-trial stage of the criminal justice process;

- provide community supervision as an alternative to pre-trial detention, thus reducing the remand population in Ontario's jails and detention centres;

- increase the involvement of the community in the criminal justice system through the privatization of pre-trial services;

- promote a community corrections program which is based on the presumption of innocence prior to a conviction by the

court, and fair and equal treatment of all persons within the criminal justice process;

- assist the accused and others in the community to understand the pre-trial release process;

- reduce the number of accused with bail set who cannot meet the requirements and are held in custody awaiting trial;

- reduce the number of remand admissions as well as the total days stay in jails and detention centres of remand inmates;

- establish and maintain the program's legal accountability to the justice system;

- assist accused in meeting court obligations; and

- facilitate appropriate referrals to and follow-up with community agencies.

## BAIL VERIFICATION

The bail verification/supervision process begins when an accused person who has been arrested and detained is interviewed by a bail worker prior to the accused's first court appearance or bail hearing. Information about the accused's residence, employment and/or educational history, and commitments and financial resources with respect to the setting of bail is recorded by the worker, verified by phone or in person, and subsequently presented to the court.

As a process independent of bail supervision, bail verification may result in one of the following dispositions:

- the direct release of the accused from court;
- the setting of attainable release conditions by the court;
- in the absence of supervision by personal sureties, a court order for bail supervision as an

alternative to a monetary or surety bail condition;

- a detention order.

Accused persons are interviewed and information verified on their behalf by bail workers only after the accused has given written consent.

## BAIL SUPERVISION

If the court deems that a monetary or surety bail condition is warranted, but the accused or his/her family lacks the resources necessary to ensure release, bail supervision may be proposed to the court as an option to the financial or surety requirements. Bail supervision, therefore, is designed as a non-monetary form of conditional release for disadvantaged accused persons in our community. It is not a program for persons the court regards as too dangerous to be supervised in the community prior to and during their trial.

Bail supervision involves a court order with a reporting schedule for the accused. Liaison with family, school, employer and community agencies may be a condition of the release order, or it may be worked out by mutual agreement between the accused and the bail worker. Every effort is made to maximize the accused's opportunities for positive relationships within the community while maintaining legal accountability with the courts (ie, ensuring that the accused appears in court as required).

Bail supervision continues until a final disposition has been reached by the court. If an accused violates release conditions, a charge may be laid and the bail withdrawn.

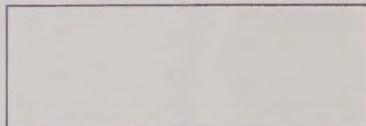
Bail programs are administered by various private agencies under contractual agreements with the ministry of correctional services' local probation/parole offices throughout the province. Eleven programs are currently operational:

| LOCATION                            | AGENCY  |
|-------------------------------------|---|
| 1. METRO TORONTO-YORK               | Management Board:<br><br>Salvation Army<br>John Howard Society<br>Elizabeth Fry Society<br>(416) 965-3336-7<br>(416) 965-5145 |
| Probation/Parole<br>Regional Office | (416) 248-3901  |
| 2. BRAMPTON-PEEL                    | John Howard Society<br>(416) 459-2205   |
| Probation/Parole                    | (416) 457-1690  |
| 3. HAMILTON                         | John Howard Society<br>(416) 545-4040   |
| Probation/Parole                    | (416) 523-5540  |
| 4. KITCHENER-WATERLOO               | Youth in Conflict<br>with the Law<br>(519) 745-6591   |
| Probation/Parole                    | (519) 576-1900  |
| 5. ST. CATHARINES-<br>NIAGARA       | John Howard Society<br>(416) 682-2657   |
| Probation/Parole                    | (416) 685-1318  |
| 6. SAULT STE. MARIE                 | John Howard Society<br>(705) 256-2808   |
| Probation/Parole                    | (705) 253-1182  |
| 7. OTTAWA                           | Salvation Army<br>(613) 722-9810  |
| Probation/Parole                    | (613) 566-3811  |
| 8. SUDBURY                          | Elizabeth Fry Society<br>(705) 673-1364   |
| Probation/Parole                    | (705) 675-4311  |
| 9. THUNDER BAY                      | Salvation Army<br>(807) 345-7319  |
| Probation/Parole                    | (807) 344-5816  |

| LOCATION         | AGENCY                               |
|------------------|--------------------------------------|
| 10. BARRIE       | Salvation Army<br>(705) 737-1689     |
| Probation/Parole | (705) 726-6461                       |
| 11. WINDSOR      | Reaching Out, Inc.<br>(519) 254-5441 |
| Probation/Parole | (519) 254-3291                       |

For further information on this program contact:

Local Probation/Parole Office or Agency  
responsible for the program



or

Project Development Officer  
Bail Verification/Supervision  
Community Programs Support Services Branch  
Ministry of Correctional Services  
2001 Eglinton Avenue East  
Scarborough, Ontario M1L 4P1  
Telephone: (416) 750-3475

or

Communications Branch  
Ministry of Correctional Services  
2001 Eglinton Avenue East  
Scarborough, Ontario M1L 4P1  
Telephone: (416) 750-3421



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Archie Campbell, QC  
Deputy Minister

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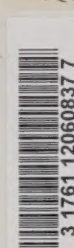
Government  
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# Bail Verification and Supervision

A community option  
to pre-trial detention.

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